

The Fifth Estate

C1750-1
1/10/89

RADIO TELEVISION CABLE SATELLITE

Broadcasting Jan 9



MB

Miller-Boyett
PRODUCTIONS

100 Half-Hours
Available Fall '90-'91

LORIMAR
SYNDICATION

*****5-DIGIT 20814
20814SRI AT8501 ZMZ
SRI ALO
CONGRESSNL INFO SKV **SAMPLE
4520 EAST-WEST HWY
BETHESDA MD 20814

50th Year 1989
ESPN wins baseball

Broadcasting Jan 9

Cable at the bat...ESPN snags major baseball cable deal in four-year, \$400 million



contract. Network will carry 75 games, four nights per week. **PAGE 43.**

The I's have it... Association of Independent Television Stations. President Preston Padden tells 16th annual gathering of INTV executives at Century Plaza hotel in Los Angeles that industry is well on road to recovery. "We've got the audience," he says, "now we need to turn it into money." Conference highlights begin on **PAGE 46.**

Piece of the action... While neither company suggests that its new late night show will dethrone Johnny Carson, CBS's *The Pat Sajak Show* and Paramount's *The Arsenio Hall Show* hope to carve their own respective niches. **PAGE 52.**



Sajak



Hall

44 RETURN OF 'FAIRNESS'

Representative John Dingell (D-Mich.) introduces fairness doctrine bill virtually identical to that vetoed by President Reagan in 1987.

45 CONTEMPORARY RADIO HITS

According to just-released 1988 fall Arbitron ratings, radio stations with contemporary hit formats again rank high in nation's top five markets.

54 NEW BEGINNING

Genesis Entertainment readies weekly Saturday late night talk variety show starring Byron Allen for syndication in fall 1989.

54 BACK ON THE AIR

Thanks primarily to unidentified backer and to Video Program Network, televangelists Jim and Tammy Bakker go back on air for first time in almost two years.

56 NEWS NEWS

Center for Media and Public Affairs' annual survey of three major TV networks' newscasts during 1988 turns up 2,201 stories on presidential election, with Democrats Lloyd Bentsen and Rev. Jesse Jackson receiving best press.

60 BEEN THERE

Line between managing radio and TV properties appears grey these days, with at least four group owners putting radio executives in charge of all broadcast properties and some in TV looking to radio for map through difficult times.

63 IMPROVEMENTS

FCC receives more support for its efforts to improve AM radio transmission.

64 ON BEST BEHAVIOR

Nation's largest MSO, TCI, works to create positive corporate image by courting city cable regulators and improving relations with broadcasters and programmers.

68 PARTY BUYOUT

In controversial 2-1 vote, FCC approves \$1 million settlement in which Marco, Fla., FM is to go to outside party not among original eight applicants.

70 SWIFT MOVE

Representative Al Swift (D-Wash.) reintroduces bill calling for uniform poll closing throughout continental U.S.

72 MTV BIRD

Just-launched Luxembourg satellite, Astra, adds MTV Europe to its program lineup.

95 RADIO REPRESENTATIVE

In competitive radio rep business, where double-digit advertising growth is thing of past, Eastman Radio's Carl Butrum runs lean operation with emphasis on product development, sales and service.

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Appeals in Washington March 29, 1988, when court ruled that statute passed by Congress in session's final hours violated First and Fifth Amendments by prohibiting FCC from extending current waivers of rule banning newspaper-television station crossownership. Court did not rule on constitutionality of substance of provision that bars commission from repealing or modifying television-newspaper crossownership ban.

Direct Broadcast Satellites

■ GE, Americom and HBO (Crimson Satellite Associates) last week filed petitions to reconsider Nov. 8, 1988, FCC decision to deny request to modify their medium-power direct-to-home TV (DBS) satellite, Satcom K-3, power from 45 to 60 watts. Denial of power boost, which has been considered necessary to reach mass-marketable three-foot receiving dishes, could be death blow to Crimson plans to start first Ku-band DBS service in U.S. and/or to bring cable programmers to Ku-band delivery via already built K-3 (scheduled for launch in January 1990).

Number of applications to operate high-power Ku-band direct-to-home television service satellites has now outstripped available orbital assignments in separate DBS orbital arc, says FCC, which could assign new round

of positions early this year. FCC has proposed assigning pairs of DBS slots—one east, one west—to create most efficient use of spectrum. Multiple applicants have requested one of four eastern slots only (from which whole nation can be served), leaving four western slots (reaching only western half of nation) underused. Replies to comments filed by Dec. 12, 1988, were due Dec. 30, 1988.

True high-power Ku-band DBS delivery of TV programming directly to homes will become reality in U.S. in 1992 time frame, says Hughes Communications, whose plan to launch 200-watt DBS will go to parent, General Motors, for approval early this year. Higher power—10 times higher than current fixed satellite service birds—says Hughes, will enable reception of video programming by affordable one-foot downlinks, thereby expanding current consumer home satellite market well beyond current two million.

Hughes says GE service would only be interim step toward its 200 watt service. Hughes and GE agree on need to bring together "business system" including programmers and cable operators.

FCC extension granted late last year gave Dominion Video Satellite and Hubbard Broadcasting's United States Satellite Broadcasting—among those granted permits with six-year expirations in December 1982—four more years—until Dec. 4, 1992.

High-Definition TV

Defense Department has announced that it will provide funding to organizations researching and developing new, low-cost methods of displaying and processing HDTV pictures. While Pentagon expects to use technology in defense applications, main goal is to insure that U.S. secures strong share of semiconductor and HDTV equipment industries.

National Telecommunications and Information Administration has asked for comments on whether U.S. government should continue to support worldwide adoption of 1,125/60 HDTV production standard. Inquiry asks whether any production format should be supported and, if so, what criteria should be used to decide which is superior. Comments are due March 1, 1989.

Deadline for "action memos" to Telecommunications Subcommittee has been postponed from Jan. 4, 1989, to Feb. 1. Subcommittee Chairman Ed Markey (D-Mass.) has asked Electronic Industries Association, American Electronics Association and Semiconductor Industry Association to submit reports recommending policies that would encourage U.S. activity in HDTV manufacturing. FCC's HDTV advisory task force and NTIA also were asked to prepare reports on subject.

Analysis subgroup of ATS committee's systems subcommittee has received submissions for 15 proposed HDTV or EDTV transmission systems. Thirteen of 15 systems were studied in-depth by analysis group during meeting held Nov. 14-18, 1988, in Washington. Report based on finding of week-long meeting will be submitted to systems subcommittee in February.

On Sept. 1, 1988, FCC tentatively decided to eliminate from standardization consideration transmission systems with continuous 9 mhz channel, incompatible with NTSC sets. Move eliminates possibility of terrestrial standardization of NHK's MUSE-E system. Commission also decided to restrict any possible additional spectrum for advanced television broadcasting to currently allotted VHF and UHF television spectrum. Use of band above 1 ghz for augmentation channels was ruled out.

Home Satellite

Giving shot in arm to struggling home satellite industry, 100th Congress passed copyright legislation authorizing transmission of broadcast television signals via satellite to backyard dish owners. (President Reagan signed bill on Nov. 16, 1988.) Under its terms, independent television signals can be beamed to any of more than two million dish owners, but network affiliate signals can only be delivered to those in "white areas"—those not able to receive network programming off air and not choosing to receive it via cable.

Other legislation designed to help home satellite industry did not fare as well. S 889 died in Senate after lawmakers voted 43 to 36 to table measure.

Momentum behind S 889 was believed to have weakened because of announcement

BY THE NUMBERS

Summary of broadcasting and cable

BROADCASTING			
SERVICE	ON AIR	CP's ¹	TOTAL
Commercial AM	4,929	288	5,197
Commercial FM	4,141	639	4,780
Educational FM	1,369	260	1,629
■ Total Radio	10,439	1,187	11,826
FM translators	1,650	428	2,078
Commercial VHF TV	545	21	566
Commercial UHF TV	508	228	736
Educational VHF TV	119	7	126
Educational UHF TV	216	31	247
■ Total TV	1,388	287	1,675
VHF LPTV	126	163	289
UHF LPTV	329	1,196	1,525
■ Total LPTV	455	1,359	1,814
VHF translators	2,722	102	2,829
UHF translators	2,110	356	2,466

CABLE†	
Total subscribers	48,637,000
Homes passed	73,900,000
Total systems	8,000
Household penetration†	53.8%
Pay cable penetration	32%

¹ Includes off-air licenses. † Penetration percentages are of TV household universe of 90.4 million. ² Construction permits.

ference, considered reasonable success, completed plan for us of expansion bands associated with 6.4 ghz and 14/11-12 ghz, which assures all countries guaranteed "equitable access" to geostationary orbit.

Jose L. Alegrett, former deputy director general of International Telecommunications Satellite Organization, was sentenced last December to 16 months to four years in prison for his part in kickback scheme that defrauded global organization of \$4.8 million. Judge Gerhard A. Gesell, in imposing sentence, said Alegrett would be credited with five months he served since his arrest in Aruba last summer. He also said he would recommend Alegrett be paroled after 11 months in view of help he has given U.S. government in its continuing investigation of kickback and other schemes. Alegrett in September had pleaded guilty to interstate transportation of money obtained by fraud, same charge to which Richard Colino, former director general of Intelsat, had pleaded guilty in connection with kickback scheme in July 1987. He is serving six-year term in minimum security prison in Virginia.

Land Mobile

Last fall, FCC delayed decision on petition to reallocate UHF channels in eight markets to land mobile radio until completion of report on whether UHF channels in question will be needed for broadcasting high-definition systems. But report released in June 1988 by FCC's advisory committee on advanced TV service advised FCC not to act because it is too early to know how much spectrum broadcasters will need. During special meeting on HDTV issues, FCC decided to follow report's advice (BROADCASTING, Sept. 5, 1988).

Mergers and Acquisitions

■ Sale of Metropolitan Broadcasting to Robert F.X. Sillerman was closed on Dec. 19. In related transaction, Metropolitan's president and chief executive officer, Carl Brazell Jr., formed new company, Comriand Communications, which purchased KJLI(FM) Los Angeles, KHOW(AM), KSY(FM) Denver, KRLD(AM) Dallas, and Texas State Networks for \$145 million. Sillerman will hold non-voting equity interest in Command, while Brazell will hold all voting stock. Legacy Broadcasting, of which Sillerman is shareholder, acquired 49% of Metropolitan and will operate Metropolitan stations WNEW(FM) New York, WMMR(FM) Philadelphia, and KTWV(FM) Los Angeles. Westwood One, expected to acquire half interest in Metropolitan's WNEW(AM), will operate that station.

MSO's United Cable (UCT) and United Artists Communications Inc. (UACI) signed definitive agreement March 8 to merge into new company, United Artists Entertainment Co. (UAE). Under terms of agreement amendment announced Sept. 19, UACI stockholders would exchange each share for one share each of class A and class B common stocks—class B stock convertible into class A and carrying 10 votes per share compared to class A stock's single vote. UCT stockholders have option to receive either \$35 cash or one

share apiece of A and B stock in UAE, with right to put that stock to Tele-Communications Inc. TCI has expanded UCT ownership to 41% share as of July 29. TCI owns roughly two-thirds of UACI and would own a majority of newly formed UAE. Setup of class A and class B stocks is designed to preserve TCI's majority vote in UAE while permitting convertible-bond financing. UCT and UACI await SEC approval of new securities, not expected until 1989. Merger is also subject to shareholder approvals.

Lorimar Telepictures stockholders approved company's acquisition by Warner Communications Inc. at shareholder meeting Dec. 8. Under terms of tax-free stock swap, Lorimar shareholders will exchange roughly 2.7 shares for each common share of Warner. Original definitive agreement for merger had set ratio of about 2.4 Lorimar shares per Warner share, but was revised Oct. 21. New agreement also provides for "substantial" interim financing of Lorimar's operations by Warner. Transaction has been delayed by Sept. 27 New York state court ruling, upheld by appeals court, Dec. 8. Court ruled that Warner's acquisition of Lorimar's TV stations, along with rest of company, would violate 1984 shareholder agreement by which Chris-Craft, group owner, became Warner's largest shareholder. On Dec. 29, Lorimar announced closing of sale of two of three stations it still held, company sold beneficial interest in still holding two Puerto Rico stations to Orlando broadcaster Timothy Brumlik, for price between \$20 and \$30 million. Warner and Lorimar are hoping to complete transaction by end of January. Since May, Warner has taken over Lorimar's domestic theatrical distribution operations, along with distribution of Lorimar's home video library.

Wireless Cable

Wireless cable is up and running in several markets and may be in several more within next year to complement and challenge cable operators.

Microband Companies Inc., New York, is industry leader, with systems in Washington, Detroit and New York. Metropolitan Cablevision has 25,000 subscribers in Cleveland, and claims to be holding its own in head-to-head competition with Viacom-managed North Coast Cable, conventional cable system operator. People's Choice TV has targeted Sacramento, Calif.

Wireless cable's principal problem remains inability to secure right to cable programming at what operators feel are equitable rates. Wireless pioneers charge that programmers' recalcitrance is due to pressure from conventional operators, the programmers' principal customers and in some cases their owners. Programmers say any discrimination against wireless cable is result of concern about financial stability of operators and signal security.

To keep cable programming flowing to wireless, WCA plans to keep heat on cable industry in Washington with charges of anticompetitive behavior. WCA has three champions on Capitol Hill: Senators Howard Metzenbaum (D-Ohio), Albert Gore (D-Tenn.) and Larry Pressler (R-S.D.).

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luncheon. Speaker Michael Alexander, executive vice president, MCA Broadcasting, Copacabana New York. Information: (212) 765-2450.

Feb. 15—Deadline for entries in 17th annual Clarion Awards "recognizing excellence and outstanding achievement in 57 areas of journalism and communications," sponsored by *Women in Communications*. Information: (703) 528-4200.

Feb. 16—*Federal Communications Bar Association* monthly luncheon. Speaker Robert Allen, chairman, AT&T. Marriott hotel. Washington.

■ **Feb. 16**—*National Academy of Television Arts and Sciences* presentation of Trustees Award to Peggy Charren, founder and president of Action for Children's Television. Marriott Marquis hotel. New York. Information: (212) 586-8424.

Feb. 16-19—*American Women in Radio and Television* national annual Commendation Awards judging. Embassy Suites hotel. Washington. Information: (202) 429-5102.

Feb. 20—Deadline for entries in Charles E. Scripps Award recognizing "outstanding efforts in the battle against illiteracy," sponsored by *Scripps Howard Foundation*. Information: (513) 977-3035.

Feb. 22—*National Press Foundation* awards dinner featuring presentation of Sol Taishoff Award for excellence in broadcast journalism to Brian Lamb, chairman and chief executive officer, C-SPAN. Sheraton Washington hotel. Washington.

Feb. 22—*Illinois Broadcasters Association* college seminar. Normal. Ill.

Feb. 22-24—Texas Cable Show, sponsored by *Texas Cable TV Association*. San Antonio. Tex. Information: (512) 474-2082.

Feb. 23—The Future of Network News and the Changing Relationship Between Network and Local News, meeting of *Society of Professional Journalists*. Panelists: Barbara Matuso, author, *The Evening Stars*; "The Making of the Network News Anchor," George Watson, Washington bureau chief, ABC News; Bob Richbloom, news director, WJLA-TV, Washington; and Bret Marcus, news director, WHC-TV, Washington. NBC 4001 Massachusetts Avenue. Washington.

Feb. 27-28—*Illinois Broadcasters Association* congressional visit. Washington.

March

March 1—Deadline for receipt of applications for Harvard Journalism Fellowship for Advanced Studies in Public Health. Information: Margaret Geteis, deputy director, Center for Health Communication, Harvard School of Public Health, 677 Huntington Avenue. Boston 02115.

■ **March 1-2**—What's Ahead for the 1990s? public affairs seminar sponsored by *Women in Communications*. Key Bridge Marriott. Arlington, Va. Information: (703) 528-4200.

March 1-3—*West Virginia Broadcasters Association* annual. Call on Congress. Washington. Information: (304) 344-3798.

March 1-4—20th annual Country Radio Seminar sponsored by *Country Radio Broadcasters*. Opryland hotel. Nashville. Information: (615) 327-4488.

■ **March 2**—*International Radio and Television Society* annual presentation of Gold Medal Award this year to five recipients, in honor of 50th anniversary of IRTS. For news: Walter Cronkite radio; Paul Harvey, TV; Bob Hope, advertising; Edward Ney, and cable; Ted Turner. Waldorf-Astoria. New York. Information: (212) 867-6650.

March 3-4—Eightth convention of *Northern California chapter of Radio Television News Directors Association*. Concord Hilton. Concord, Calif. Information: (415) 451-8760.

March 5-6—*Cable Television Public Affairs Association* Cable Forum 89. Vista International hotel. Washington. Information: (202) 635-8844.

Errata

Box in Jan. 2 issue on salaries of association presidents incorrectly reported that Community Antenna Television Association's 990 IRS form was unavailable for inspection. Form is on file at CATA headquarters, but salary of association's president, Steve Effros, does not appear on it.

March 7-10—*Audio Engineering Society* convention. Congress Centrum. Hamburg. West Germany. Information: (030) 831-28-10.

March 8-9—*Ohio Association of Broadcasters* congressional salute. Sheraton Grande. Washington.

March 12-14—*West Virginia Broadcasters Association* spring meeting. Ramada Inn. Beckley, W. Va. Information: (304) 344-3798.

March 12-16—Sixth world conference of broadcasting unions organized and hosted by *North American National Broadcasters Association*. Willard hotel. Washington. Information: (613) 738-6553.

March 13-14—*National Association of Broadcasters* group meeting in which heads of radio station groups will discuss common issues and concerns of the broadcast industry. DFW Hyatt Regency hotel. Dallas. Information: (202) 479-5444.

March 16—48th annual *Union of Radio & Television Correspondents Association*. Grand Hyatt hotel. Washington. Information: (202) 828-7016.

March 21—*American Advertising Federation* listing government affairs conference. Willard hotel. Washington. Information: (202) 898-0089.

March 22—Radio station acquisition seminar sponsored by *National Association of Broadcasters*. New York Hilton and Towers at Rockefeller Center. New York. Information: (202) 429-5420.

March 22—*Broadcast Pioneers* Mike Award dinner. Plaza hotel. New York. Information: (212) 586-2000.

March 23—*National Association of Black Owned Broadcasters* 11th annual Communications Awards dinner. Sheraton Washington hotel. Washington. Information: Ava Sanders. (202) 463-8970.

March 24-25—11th annual Black College Radio convention, sponsored by *Collegiate Broadcasting Group*. Pascha's hotel. Atlanta. Information: (404) 523-6136.

March 29-30—*Illinois Broadcasters Association* spring convention. Ramada. Springfield. Va.

March 30—*Federal Communications Bar Association* monthly luncheon featuring international telecommunications panel including Seth Burdett, president, MCI International. Marriott. Washington.

April

April 3-5—*Central Educational Network* annual conference. Radisson hotel. Toledo, Ohio. Information: S.J. Peters. (312) 390-8700.

April 4—*Caucus for Producers, Writers and Directors* general membership meeting featuring members of New York Business Roundtable. Los Angeles. Information: (213) 652-0222.

April 5-8—*Asian American Journalists Association* national convention. San Francisco. Information: (415) 346-2051.

April 6—53rd annual presentation of Ohio State Awards banquet ceremony. National Press Club. Washington. Information: (614) 292-0185.

April 9-11—Public television annual meeting.

jointly sponsored by *Public Broadcasting Service* and *National Association of Public Television Stations*. Sheraton Harbor Island East. San Diego. Information: (703) 739-5082.

April 9-12—*Broadcast Financial Management/Broadcast Credit Association* 29th annual conference. Loews Anatole. Dallas. Information: (312) 296-0200.

April 10-12—*Cabletelevision Advertising Bureau* eighth annual conference. Waldorf-Astoria. New York. Information: (212) 751-7770.

April 12-14—*Electromagnetic Energy Policy Alliance* annual meeting and symposium. Radisson Mark Plaza hotel. Alexandria, Va. Information: Richard Ekfel. (202) 452-1070.

April 19—*Federal Communications Bar Association* monthly luncheon. Robert Johnson, president-publisher. Newsday. Marriott hotel. Washington.

April 19-23—*National Broadcasting Society, Alpha Epsilon Rho*, 47th national convention. Riviera hotel. Las Vegas. Information: David Guerra. (501) 569-3254.

April 21-22—*Kentucky Cable Television Association* general membership meeting. Drawbridge Inn. Covington. Ky. Information: Randa Wright. (502) 864-5352.

April 21-26—25th annual *MIP-TV, Marches des International Programmes des Television*, international television program market. Palais des Festivals. Cannes. France.

April 27-29—*Broadcast Education Association's* 34th annual convention. Las Vegas Convention Center. Las Vegas. Information: (202) 429-5355.

■ **April 28-29**—*Texas Associated Press Broadcasters* annual convention and awards banquet. Marriott Austin. Tex. Information: Diana Jensen. (214) 220-2022.

April 29-May 2—*National Association of Broadcasters* 67th annual convention. Las Vegas Convention Center. Las Vegas. Information: (202) 429-5300.

May

May 2—*Broadcast Pioneers* annual breakfast, during National Association of Broadcasters convention (see listing above). Las Vegas Hilton. (212) 586-2000.

May 11—Presentation of National Media Owl Awards by *Retirement Research Foundation* for "outstanding film, videotapes and television programs that address issues related to aging, capturing authentic images of older persons and illuminating the challenge and promise of an aging society." Chicago. Information: Joyce Bolinger, Center for New Television, 912 S. Wabash. Chicago 60605. (312) 427-5446.

May 11-15—*American Women in Radio and Television* 38th annual convention. Waldorf-Astoria. New York. Information: (202) 429-5102.

May 15—Annual presentation of Commendation Awards, sponsored by *American Women in Radio and Television*. Waldorf-Astoria. New York. Information: (202) 429-5102.

May 17-18—*Ohio Association of Broadcasters* spring convention. New Market Hilton. Canton, Ohio.

May 17-20—*American Association of Advertising Agencies* 71st annual meeting. Greenbrier. White Sulphur Springs. W. Va.

May 17-21—Annual Public Radio Conference, coordinated by *National Public Radio*. St. Francis hotel. San Francisco.

May 21-27—*Input '89*, international public television screening conference, "annual forum for the exchange of program ideas among producers, programmers and others interested in improving the quality of public television around the world." Stockholm. Sweden. Information: (803) 737-3434.

May 22—George Foster Peabody Awards lun-

controlled Senate and House.

Dingell, in a statement announcing the introduction of the fairness doctrine bill, not only made clear his belief that Congress is duty bound to "guarantee that conflicting points of view be heard, thereby enhancing the public's right to be informed." He also excoriated the commission. He said that in repealing the doctrine, the commission "overextended its mandate...by presuming to create policy in defiance of clearly expressed congressional intent," adding, "This inexcusable disregard for congressional intent makes it incumbent upon the Congress to ensure that broadcasters provide balanced coverage of controversial issues." That, he said, does not impose "an onerous" burden on broadcasters.

Dingell, in a reference to the appeals court's holding that the doctrine had not been incorporated into the law, said his bill "unambiguously makes the doctrine a part of the Communications Act of 1934." He also said it is "necessary only to restore the status quo which existed before an out-of-control regulatory agency arrogated to itself the right to make broadcasting policy."

And he contended that, contrary to the view of fairness doctrine critics, the "scarcity" argument long used to justify the doctrine remains a fact of life. He noted that the Supreme Court, in upholding the constitutionality of the doctrine in 1969, said that as long as there were substantially more people who wanted to broadcast than there were frequencies to allocate, the doctrine advanced First Amendment values. "The fundamental scarcity" which led the court to that conclusion, Dingell said, "has not been remedied." To support that assertion, he said that the number of comparative renewal applications pending at the commission is at an all-time high—there are eight cases in hearing, 12 counting the remaining RKO General proceedings on their way to settlement—and that the prices of broadcast properties—which greatly exceed the value of the assets involved—have soared astronomically.

Dingell also recalled the broad spectrum of support the fairness doctrine bill attracted in the last Congress—General Motors and the United Auto Workers, Mobil Oil and the AFL-CIO, Phyllis Schlafly and Ralph Nader. They were among a long list of witnesses testifying in favor of the bill.

The congressional "findings" listed in the bill reflect the arguments Dingell made in his statement. One is that "there is a substantial governmental interest in conditioning the award or renewal of a broadcast license on the requirement that the licensee assure the widest possible dissemination of information from diverse and antagonistic sources by presenting a reasonable opportunity for the discussion of conflicting views on issues of public importance." Another is that the doctrine "(A) fairly reflects the statutory obligation of broadcasters under the Act to operate in the public interest, (B) was given statutory approval by Congress in making certain amendments to that Act in 1959, and (C) strikes a reasonable balance among the First Amendment rights of the public, broadcast licensees, and speakers other than the owners of broadcast facilities."

Contemporary hit a hit

Radio stations with contemporary hit formats once again ranked high in the country's top five markets, according to the just-released fall 1988 Arbitron ratings, with the wide spectrum of adult contemporary formats also continuing to make a strong showing. In New York, where three contemporary hit stations placed in the top 10, contemporary hit WHTZ(FM) New York maintained its number-one spot. Contemporary hit WUPR(FM) New York, entering a period of transition with the reinstitution of call letters WPLJ(FM) and a new program director in place, dropped several notches from the third-place position it had held in both the fall 1987 and summer 1988 surveys. Contemporary hit WOHT(FM), which switched frequencies last September, increased its share over the same period last year from 3.7 to 4.0, but dropped from a fourth-place position in the summer 1988 survey to its current seventh-place position.

The contemporary hit battle in Los Angeles saw KPWR(FM) once again the victor in that market, with a 7.2 share, while KJIS-FM (which has lost its added simulcast points) settled into the number-two spot with a 5.8 share. New adult contemporary KTWV-FM jumped onto the top 10 list with a 3.3 share, up from a 3.0 in the summer 1988 book.

Chicago saw MOR/talk WGN(AM) maintain its lead in the market; in the contemporary hit race, WYZZ(FM) topped WBBM-FM for the second straight quarter. Country WUSN(FM) climbed into the Windy City's top 10 with a 3.0 share, up from 2.4 during summer 1988.

In San Francisco, news/talk KGO(AM) remained the number-one station. Making significant gains were classical combinations KKHI-AM-FM and KDFC-AM-FM, which both moved into the top 10 from respective 1.7 and 2.0 summer 1988 shares. Also moving on to San Francisco's top-10 list was contemporary hit KITS(FM) with a 3.0 share, up from its 2.4 summer 1988 rating.

The big news in Philadelphia was the rise of contemporary hit WEGX(FM) to the number-one spot, with a 7.9 share, up from its 6.7 summer 1988 number. Since the last quarter, the market found room for adult contemporary WMGK(FM) on the top-10 list with a 4.7 share, but country WXTU(FM) with its 4.1 was knocked off the list.

Arbitron said its new seven-day radio diary, introduced during the fall 1988 survey, showed increases in midday listening and "away from home/other place listening" reported by respondents. All results are based on the Arbitron fall 1988 radio local market report for the period Sept. 22-Dec. 14 (total persons, age 12-plus, average quarter-hour shares, Monday-Sunday, 6 a.m.-midnight). Ratings data used is supplied by Arbitron and is copyrighted; it may not be reprinted or used in any form by nonsubscribers to the company's radio ratings service.

Station	Format	Fall 87	Fall 88	Station	Format	Fall 87	Fall 88
New York				WJMK(FM)	oldies	2.7	4.2
WHTZ(FM)	contmp. hit	6.0	5.6	WVAZ(FM)*	urban cntmp	4.5	4.2
WPAT-AM-FM	easy listening	6.0	4.9	WKQX(FM)	adult cntmp.	2.5	4.1
WLTW(FM)	soft cntmp	4.7	4.7	WYZZ(FM)	cntmp hit	3.9	4.0
WOR(AM)	talk	4.5	4.7	WBBM-FM	cntmp hit	3.9	3.2
WINS(AM)	news	5.0	4.4	WLAK(FM)	soft cntmp	3.7	3.2
WCBS-FM	oldies	3.6	4.3	WCLR-FM	adult cntmp.	3.0	3.0
WRKS(FM)	urban cntmp	4.6	4.2	WUSN(FM)	country	2.6	3.0
WOHT(FM)	cntmp. hit	3.7	4.0	*Formerly WBMX			
WBLS(FM)	urban cntmp	4.1	3.6	San Francisco			
WCBS-AM	news	3.2	3.6	KGO(AM)	news/talk	8.0	8.3
WWPR(FM)	cntmp. hit	4.7	3.6	KMEL(FM)	cntmp. hit	4.9	5.6
WXRK(FM)	classic rock	2.8	3.4	KCBS(AM)	news/talk	5.4	5.0
WABC(AM)	talk	2.4	3.3	KABL-AM-FM	easy listening	4.8	4.7
Los Angeles				KOIT-AM-FM	soft cntmp.	3.8	4.2
KPWR(FM)	cntmp. hit	7.5	7.2	KIOI(FM)	adult cntmp.	2.7	3.9
KJIS-FM	cntmp. hit	6.9	5.8	KFRG(AM)	classic MOR	3.3	3.4
KOST(FM)	soft cntmp.	4.5	5.4	KITS(FM)	cntmp. hit	3.0	3.0
KABC(AM)	talk	5.5	5.3	KKHI-AM-FM	classical	1.3	3.0
KJOK(FM)	easy listening	4.3	4.6	KBLX-AM-FM	new adult cntmp.	2.9	2.9
KLOS(FM)	AOR	3.8	3.6	KDFC-AM-FM	adult cntmp.	1.9	2.9
KNX(AM)	news	3.2	3.5	KRQR(FM)	AOR	1.7	2.9
KBIG(FM)	soft cntmp.	4.0	3.3	KSOL(FM)	urban cntmp.	4.7	2.8
KTWV-FM	new AC	2.3	3.3	Philadelphia			
KROQ-FM	AOR	3.7	3.2	WEGX(FM)	cntmp. hit	4.8	7.9
KRTH-FM	adult cntmp.	3.7	3.2	WMMR(FM)	AOR	8.1	7.7
KFWB(AM)	news	4.2	3.1	WUSL(FM)	urban cntmp.	7.8	7.5
Chicago				KYW(AM)	news	8.0	6.5
WGN(AM)	MOR/talk	8.0	8.6	WEAZ(FM)	easy listening	7.4	5.7
WGCI-FM	urban cntmp.	8.0	6.7	WPEN(AM)	nostalgia	4.6	5.1
WXEZ-AM-FM	easy listening	6.1	6.1	WYSP(FM)	classic rock	4.6	4.9
WBBM(AM)	news	6.0	5.0	WKSZ(FM)	soft cntmp.	5.8	4.8
WCKG(FM)	classic rock	3.4	4.3	WHCK(FM)	adult cntmp.	4.7	4.7
WLUP-FM	adult rock	4.5	4.3	WWDB(FM)	talk	5.2	4.6

package it sold that included ESPN spots. Jerry Machovina, corporate director of ad sales, said Telecable took in \$1.25 million in 1987 and \$2.1 million in 1988 in the packages (priced roughly at \$40,000), in which NFL spots are sold with ESPN college football and other spots.

Machovina said that since local ratings are not available, Telecable sells on the association with a premium property. Although Telecable lost 50 of its 160 clients, it picked up 130 new ones, giving it 240 sponsors over all in 1988 for the ESPN package. That pushed up revenue, said Machovina, as did limiting the number of spots within the NFL games from three to two per advertiser. The boost from ESPN is helping local advertising in general at Telecable, he said. Local ad revenue jumped from \$5.2 million in 1987 to \$7.5 million in 1988, and Machovina projects it to hit \$11 million in 1989.

'Affair' advancing. Fox's *A Current Affair* is claiming improved clearances and placement for 1989. Jeff Erdel, spokesman for the series, said that as of today, Jan. 9, the show will be cleared in five new markets, including Denver (KCNC-TV), the last top-20 market to sign up. The four other stations now introducing the show are WESH-TV Orlando, Fla.; WXII-TV Greensboro, N.C.; WFR-TV Rockford, Ill.; and WICV-TV Erie, Pa. Erdel said *A Current Affair* will have improved clearance in San Francisco where the show is moving from midnight on KGO-TV to 4 p.m. on KRON-TV. Last Monday, Jan. 2, the show moved from midnight on WFLG-TV Miami to 7 p.m. on WTVJ-TV. Erdel said that in the 134 markets where *A Current Affair* is carried, 50 stations run it in prime time access, while "most of the others carry it in early fringe."

More captioning. According to the National Captioning Institute, captioned prime time programming on the three major TV networks will increase 20% for the 1988-89 television season. The increase brings the total captioned prime time schedule to 95%. For the fourth consecutive season, ABC and its producers will provide funding for the network's entire prime time schedule. Both CBS and NBC currently underwrite funding for one-third of their prime time schedules. Also, due to a grant from the U.S. Department of Education to NCI, hearing-impaired sports fans will be able to enjoy closed-captioned broadcasts of events including the Super Bowl, NCAA, NBA and NFL championships. The grant, coupled with monies contributed by the three networks and ESPN, enables NCI to close caption several hundred hours of sporting events in 1989.

Week 15: Three-net slump continues

The three networks delivered a combined 38.1 rating for week 15 (ended Jan. 1), or 34.4 million households, considerably lower than last season's week 15 delivery of 37 million households. Historically, week 14 is a mid-season low point for network prime time ratings, with ratings numbers beginning to bounce back during weeks 15 and 16.

This season's upward trend seems to have been delayed somewhat. Week 14 registered a combined 36.3 rating, the lowest number for all three networks so far this season. Week 15's 38.1 rating brought with it a very small increase—only 1.8 rating points—from week 14. The 1987-88 increase was from a week 14 rating of 36.8 to a week 15 rating of 41.8, a move up of five rating points. The 1986-87 increase was from a 41.2 for week 14 to a 46.1 for week 15, a 4.9 point increase.

At press time last week, prime time ratings averages were available for the first three nights of week 16 (Monday, Jan. 2 through Wednesday, Jan. 4), with each night showing an increase over the previous week's evening averages.

The combined ratings for the Big Three on Monday (Jan. 2) was up only 0.3 rating points from week 15's 38.2, to a 38.5. Tuesday's evening average was up 8.1 rating points, from week 15's 40.6. Wednesday's 41.9 average showed an increase over week 15's 36.3.

Turning back to the specifics of week 15, NBC won the week with

a 13.6 rating and a 23.2 share—the network's lowest winning numbers this season. CBS edged into second place with a 12.3/21.2, narrowly beating ABC's 12.2/20.8. CBS's average was up 1.9 rating points over its week 14 rating average of 10.9.

CBS managed to take the top three slots in the weekly rankings (see chart), with its Sunday lineup. The *CBS Sunday Movie*, *The Karen Carpenter Story* took the top slot with a 26.3/41. Second place went to *Murder, She Wrote*'s 22.9/36. *60 Minutes* came in third (21.9/36). Fourth place went to ABC's *Roseanne*, registering a 21.2/33, according to Nielsen. (An ABC ranking of week 15's programming lists CBS's NFC playoff post-game show as registering a 21.4/38, and thereby taking fourth place, ahead of *Roseanne*.)

CBS also won the evening news race, posting a 12.1/22 over ABC's 11.4/21 and NBC's 11.2/21.

CBS won Monday and Sunday nights. NBC took Tuesday, Thursday and Saturday. ABC won Wednesday and Friday.

In the Arbitron metered markets, the *CBS Sunday Movie* ranked first in seven out of the 14 total markets. ABC's *Roseanne* ranked first in two markets, Chicago and Houston. CBS's *Murder, She Wrote* took first place in Boston, while that network's *60 Minutes* ranked first in Washington, D.C. (followed by the *CBS Sunday Movie*). NBC's *Cosby* ranked first in Detroit. ABC's *Who's the Boss?* won in New York. In Miami, CBS's NFC post-game show ranked first, followed by *60 Minutes*.

Nielsen	Net	Show	Nielsen	Net	Show	Nielsen	Net	Show
1	26.3/41	C CBS Sunday Movie	25	13.7/24	N Midnight Caller	49	8.8/15	N Magical World of Disney
2	22.9/36	C Murder, She Wrote	26	13.6/23	A Growing Pains Special	50	8.6/15	C Kennedy Center Honors
3	21.9/36	C 60 Minutes	27	13.5/23	A Mr. Belvedere	51	8.4/14	C 48 Hours
4	21.2/33	A Roseanne	28	13.3/22	A Moonlighting	52	8.1/14	A Burning Questions Kids
5	20.9/34	N Cosby Show	29	13.2/21	A Ice Capades	53	8.0/14	C Beauty and the Beast
6	18.7/30	N Cheers	30	13.0/23	N NBC Friday Movie	54	8.0/13	C Happy New Year, C. Brown
7	18.6/30	A Who's the Boss?	31	12.8/21	C Newhart	55	7.9/13	A Mission Impossible
8	18.0/29	N Different World	32	12.8/20	N Family Ties	56	7.7/14	A Koppel Report
9	17.8/29	N Unsolved Mysteries	33	12.8/27	N Hunter	57	7.2/11	F Married With Children
10	17.5/28	N In the Heat of the Night	34	12.8/20	N NBC Sunday Movie	58	6.7/11	F America's Most Wanted
11	16.8/27	N Matlock	35	12.7/23	A China Beach	59	6.4/13	C Dirty Dancing
12	15.2/24	N Dear John	36	12.7/23	A 20/20	60	6.2/12	C Simon and Simon
13	15.2/25	N Night Court	37	12.7/26	N Empty Nest	61	6.1/10	C Annie McGuire
14	15.0/25	A Growing Pains	38	12.6/20	A ABC Sunday Movie	62	6.0/10	C Dirty Dancing Special
15	15.0/25	N A.F.'s Christmas Special	39	12.3/21	N NBC Monday Movie	63	5.7/10	N Sarafina!
16	15.0/30	N Golden Girls	40	12.1/20	A ABC Monday Movie	64	5.6/11	C Raising Miranda
17	14.9/25	C CBS Monday Movie	41	11.9/20	A Hooperman	65	4.7/10	C West 57th
18	14.7/26	N L.A. Law	42	11.3/20	C Equalizer	66	4.4/7	F 21 Jump Street
19	14.6/24	A Head of the Class	43	11.0/17	N Day By Day	67	3.6/7	F Reporters
20	14.3/25	A Full House	44	10.9/22	A ABC Saturday Movie	68	3.5/5	F Garry Shandling Show
21	14.3/25	C Knots Landing	45	10.8/21	N Orange Bowl Parade	69	3.1/5	F Tracey Ullman Show
22	14.2/23	A Wonder Years	46	10.6/18	C CBS Tuesday Movie	70	2.6/4	F Duet
23	13.7/24	A Perfect Strangers	47	10.1/16	C Paradise	71	2.2/4	F Beyond Tomorrow
24	13.7/22	C Kate and Allie	48	9.5/16	A Incredible Sunday			

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InBrief

In what is believed to be first ruling of its kind, **U.S. District Court Judge in Boston has held that cable systems involved in rate-regulation dispute with franchise authority are entitled to assert their rights in federal court.** Judge Andrew A. Caffrey, in case involving effort of Town of Danvers, Mass., to block Nashoba Cable's plan to raise rates, also held that cable systems may not waive protections given them under Cable Communications Policy Act of 1984, such as that exempting them from rate regulation. Nashoba began serving Danvers subscribers in July 1986 after agreeing to freeze rates for two years. And in June 1988, Nashoba announced plans to increase rates. Danvers said it considered proposed increase violation of pledge to freeze rates—there is dispute as to when two year period began—and threatened legal action. Nashoba filed suit first, seeking order barring action by Town. Danvers, for its part, claimed court lacked jurisdiction, that issue involved common-law contract dispute, governed by state law. But Caffrey ruled that Cable Act governed, that "Congress apparently intended to prevent crazy-quilt patchwork of local rate regulation and instead intended to subject cable television rates to the competition of the marketplace." Danvers rate freeze, he said, "is precisely the sort of rate regulation the Act prohibits." That was one of two holdings Nashoba's attorney, Stephen Berry, said was "important." Second was Caffrey's assertion that "public policy concerns militate against permitting a cable services provider to waive key provisions in the statute." However, issue may not be finally resolved. Danvers Town Counsel Paul Kenny said "likelihood is great" that Danvers will appeal decision.

Beasley Broadcast Group and RKO reached settlement with competing applicants for KRTH-AM-FM Los Angeles for \$86.6 million. Deal has been in works since last August (BROADCASTING, Aug. 29, 1988). It comes on heels of settlement for WYFR-FM Chicago (see page 75). RKO will receive approximately \$56.2 million, and competing applicants \$30.4 million. KRTH-AM is fulltimer on 930

khz with 5 kw, and KRTH-FM operates on 101.1 mhz with 58 kw and antenna 2,880 feet above average terrain.

NBC was cheered by judge's latest ruling in entertainer Wayne Newton's libel case. U.S. District Judge Myron Crocker said in Los Angeles on Dec. 30, 1988, that Newton has until Feb. 1 to state his acceptance of \$5,275,000 he was awarded following jury trial in Las Vegas two years ago. If he does not accept, he faces new trial on all issues. Newton had originally rejected award because Crocker had reduced jury's verdict of \$19.2 million. Newton's lawyers asked for new trial on question of damages entertainer allegedly suffered as result of three investigative pieces on NBC News broadcasts aired in 1980 and 1981, linking him to reputed organized crime figure. Newton's attorney, Morton Galane, said his client was on vacation in Hawaii and would not decide on his answer to court until his return on Jan. 14.

FCC, in unanimous decision released last week, affirmed Mass Media Bureau's finding of Wisconsin FM for violation of anti-lottery rules. Bureau levied \$7,500 penalty against WRIS-FM Hayward, Wis., for broadcasting advertisements for bingo on behalf of Lac Courte Oreille Tribal Government. Spots allegedly aired regularly between September 1986 and March 1987.

FCC approved Bell Atlantic's plan to build experimental, integrated fiber optic system in Perryopolis, Pa. As proposed, Bell Atlantic would build system capable of carrying telephone signals and video services and passing 100 homes. Helicon Corp., city's cable operator, would provide programming for one-year test.

Satellite Music Network's board of directors last week approved Capital Cities/ABC's proposal to acquire all of its outstanding common stock for \$5.50 per share, cash. (In Brief, Dec. 26, 1988).

Cable network numbers on the rise

Combined prime time ratings for seven top cable networks for the fourth quarter of 1988 rose 7% over 1987, increasing from an 11.0 to an 11.8. The increase was tied to USA, CBN Family Channel and Lifetime, whose new fall prime time lineups helped boost those services' fourth-quarter ratings from a combined 3.2 in 1987 to a 4.3 in 1988.

USA's rose from a 1.7 to a 2.1, with a lineup of Miami Vice,

Murder, She Wrote and, at 9 p.m., movies and sporting events.

Lifetime attributed its ratings jump to Cagney & Lacey, which has scored between a 1.0 and a 1.2 in its 8 p.m. time slot. The jump for CBN came from its new prime time lineup of Our House and family movie programming (BROADCASTING, Dec. 26, 1988).

Although it does not have full fourth-quarter ratings, Turner

Broadcasting System has numbers for TNT for the six-week period from Nov. 7 to Dec. 18. From 7 a.m. to 1 a.m., where it had forecast a 0.7, it has scored a 0.9; its prime time rating of 1.1 is also 0.2 higher than its forecast of 0.9. Its 24-hour rating was a 0.7, 17% ahead of its projected 0.6.

The most successful block has been the Muppet Show, Bugs Bunny, Fraggle Rock children's fare between 6 and 8 p.m., which has averaged a 1.8 rating, 50% higher than the 1.2 Turner had forecast. TNT has signed a contract for Nielsen measurements and expects to begin receiving overnight data this month. Turner estimated TNT was in 19.7 million homes in December, and expected that to jump to 23 million after a number of Jan. 1 launches by systems.

Network	Prime Time		Full Day	
	1988 Rating (HH)	1987 Rating (HH)	1988 Rating (HH)	1987 Rating (HH)
WTBS	2.6 (1,218,000)	2.6 (1,128,000)	1.6 (754,000)	1.6 (684,000)
ESPN	2.5 (1,245,000)	2.6 (1,176,000)	0.9 (448,000)	0.9 (391,000)
USA	2.1 (955,000)	1.7 (700,000)	1.0 (454,000)	0.9 (368,000)
CNN Headline	1.3 (623,000)	1.3 (564,000)	0.9 (424,000)	0.9 (392,000)
CBN	1.2 (540,000)	0.8 (303,000)	0.9 (375,000)	0.6 (238,000)
Nashville	1.1 (449,000)	1.3 (470,000)	0.5 (204,000)	0.6 (213,000)
Lifetime	1.0 (425,000)	0.7 (266,000)	0.6 (243,000)	0.4 (157,000)
Nickelodeon			1.0 (443,900)	0.9 (333,900)
A&E			0.8 (290,000)	0.6 (199,000)
MTV			0.6 (269,600)	0.6 (231,600)
Nick at Nite			0.6 (246,800)	0.4 (127,600)
Weather Channel			0.2 (78,000)	0.2 (65,000)
FNN			0.2 (62,888)	0.2 (51,388)
VH-1			0.2 (61,300)	0.3 (72,000)

USA's prime time runs from 7 to 11 p.m., while CBN's runs from 7 p.m. to midnight. Lifetime's full day is 7:30 a.m. to 1 a.m., Monday through Saturday. Nickelodeon's from 7 a.m. to 8 p.m., Nick at Nite's from 8 p.m. to 7 a.m., FNN's from 6 a.m. to 8 p.m., Discovery's from 9 a.m. to 3 a.m., Weather Channel's 6 a.m. to midnight and Nashville's from 9 a.m. to 3 a.m. Figures for Arts & Entertainment are the sum of its two four-hour programming blocks, from 8 p.m. to 4 a.m.